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March 3, 2017

VIA ELECTRONIC MAIL

Honorable Freda L. Wolfson, U.S.D.J.
United States District Court
Clarkson S. Fisher Building & US Courthouse
402 East State Street
Trenton, NJ 08608

Honorable Lois H. Goodman, U.S.M.J.
United States District Court
Clarkson S. Fisher Building & US Courthouse
402 East State Street
Trenton, NJ 08608

**Re: *In re: Johnson & Johnson Talcum Powder Products Marketing, Sales
Practices and Products Liability Litigation*
MDL No. 2738**

Dear Judge Wolfson and Judge Goodman:

As requested by the Court at the status conference held on February 22, 2017, the parties have scheduled weekly meet and confer conference calls. This week, on March 1st, the parties met and conferred regarding the Protective Order, Preservation Order, ESI Protocol, CMOs for Short Form Complaints and Answers, and the necessity of a Plaintiff Fact Sheet. Attorneys participated for Plaintiffs, and attorneys participated on behalf of the three defendants. Below is a summary of the negotiations that occurred.

Protective Order: The parties agreed to a protective order, which was submitted to the Court and entered by Judge Goodman on March 1, 2017.

ESI Protocol: The parties briefly discussed the ESI Protocol in light of the Court's directive to make prospective changes to document production. The parties are in the process of setting up a smaller call with their respective e-discovery attorneys to discuss the prospective ESI Protocol changes proposed by plaintiffs.

Preservation Order: Defendants received clarification of Plaintiffs' comments on the Preservation Order Wednesday morning. There are only a few items remaining in dispute that Defendants will review and get back to Plaintiffs on before the call next week.

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CMOs for Short Form Complaints and Answers: The parties are working on a CMO for Answers and a CMO for Service of Short Form Complaints. The parties have exchanged comments and hope to resolve any remaining issues in short order.

Plaintiff Fact Sheet: Defendants raised the possibility of resolving the outstanding items in dispute on the PFS in case of *in extremis* depositions. The parties understand that the Court has ruled there will be no case-specific discovery at this time, including a requirement to complete Plaintiff Fact Sheets. The *in extremis* Order agreed to by the parties and entered by the Court contemplates the service of a PFS. In light of the Court's directive at the status conference, the parties agreed to discuss alternative options to a Plaintiff Fact Sheet for *in extremis* cases only and will continue to meet and confer on this issue.

Discovery Requests: The parties have continued to have defendant-specific conferences on the status of the additional discovery served by Plaintiffs. Defendants are working to respond to Plaintiffs' requests to aid Plaintiffs in their efforts to cull down discovery demands.

Next Meeting: The next meet and confer will be Wednesday, March 8th. The parties will keep the Court apprised of their progress on the issues above.

Thank you for your consideration of these matters.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

s/ Julie L. Tersigni

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